IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STEPHEN MINNIS,) Docket No. 06-5392
Plaintiff,)
vs.)
YUM BRANDS INC., d/b/a Taco Bell a North Carolina corporation; BOSKOVICH FARMS, INC., a California Corporation; READY PAC PRODUCE, INC., a California corporation,) STIPULATION TO DISMISS) DEFENDANT BOSKOVICH) FARMS, INC. WITHOUT) PREJUDICE)
Defendants.)
	_)

STIPULATION OF DISMISSAL WITHOUT PREJUDICE AS TO DEFENDANT BOSKOVICH FARMS, INC.

COME NOW the parties hereto to stipulate and agree as follows:

- 1. This matter involves plaintiff's claims for personal injuries from an E. coli O157:H7 infection that plaintiff experienced after dining at a Taco Bell restaurant in Utica, New York.
- 2. Plaintiff's E. coli O157:H7 infection is part of an ongoing outbreak in several states, including New York. On the basis of defendant Taco Bell's assertions, the cause of the outbreak was initially thought to have been contaminated green onions from defendant Boskovich Farms, Inc. Upon further epidemiological and environmental investigation, however, it has been revealed that a more likely cause of the outbreak is contaminated lettuce served at defendant Taco Bell's restaurants. The investigation into the cause of the outbreak remains ongoing.

Wherefore, the plaintiff and defendant Boskovich Farms, Inc. hereby agree to the voluntary dismissal of all of plaintiff's claims against Boskovich Farms, Inc., said dismissal to be without prejudice or award of costs to any parties.

DATED: December 14, 2006.

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On behalf of Defendant Boskovich Farms, Inc.